

JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF THE
ALABAMA TERRITORY;
AT THE
FIRST SESSION
OF THE
FIRST GENERAL ASSEMBLY,
IN THE FORTY THIRD YEAR
OF
AMERICAN INDEPENDENCE.

ST. STEPHENS :

Printed by THOMAS EASTIN, Printer to
the Alabama Territory.

1818.

Edw. P. Hannock

BLANK PAGE

JOURNAL

Of the Legislative Council of the Alabama Territory, Began and held in the Town of St. Stephens, in said Territory, on the nineteenth day of January in the year of our Lord, one thousand eight hundred and eighteen, in the forty third year of American Independence, pursuant to the proclamation of his Excellency *William W. Bibb*, Governor of the aforesaid Territory of Alabama; in conformity to the Act of the Congress of the United States, passed the third day of March, one thousand eight hundred and seventeen, entitled "an act to establish a separate Territorial Government for the eastern part of the Mississippi Territory," being the day appointed by the aforesaid proclamation, for the meeting of the Legislature of the Alabama Territory.

James Titus being the only member, appointed *Curtis Hooks* Secretary, and *John Pearson* door keeper.

Ordered that the Secretary inform the house of Representatives there.

of,

And that the Council is now in session and ready to proceed to business.

The council then adjourned until tomorrow 10 o'clock.

Tuesday, Jan. 20.

The Council met pursuant to adjournment.

A message from the House of Representatives, by Mr. *Nicholson*, their Clerk.

Mr. President,

I am authorised by the House of Representatives, to inform the Legislative Council, that they have formed a quorum; elected the Hon. *Gabriel Moore*, of Madison County, their Speaker, *Isaac R. Nicholson Esq.* their Clerk, *Samuel Smith* their sergeant at Arms, and *Matthew Lafoy* their door keeper,

And are now ready to proceed to business,

and he then withdrew.

A message from the House of Representatives, by Mr. *Nicholson* their Clerk.

Mr. President,

I am instructed to inform the Legislative Council, that a commit-

tee consisting of Messrs. *Walker & Lipscomb*, have been appointed to wait upon his Excellency the Governor and inform him that a quorum of the Legislative council, & house of Representatives are convened, and ready to receive any communications he may be pleased to make, which said committee have reported that his Excellency will deliver his message in the Representative chamber at the hour of one o'clock, Instant,

and he then withdrew.

The Legislative council at the appointed hour accordingly repaired to the representative chamber, and took the seats allotted to them.

When his Exc^y. the Governor gave the following communication in writing :

Gentlemen of the Legislative Council, and of the House of Representatives :

I beg leave to tender to you my congratulations on the first meeting of the General Assembly of the Alabama Territory.

The circumstances of our country under which you have convened,

present a most gratifying spectacle, and claim our most devout gratitude. While the habitation of man in many portions of the Earth, is the residence of poverty, oppression and wretchedness, the people of our highly favored nation, are in the tranquil enjoyment of every blessing. The rights of persons and of property are carefully protected; and alike open to all, is the road to wealth and fame, and public honors. At peace (except with a part of our Indian neighbors) and prosperous beyond example, we may review with pride the scenes of war which are past, and indulge the most pleasing anticipations of the future; The high destiny of the Territory for which you are called to Legislate, we cannot fail to contemplate with peculiar satisfaction. Ample in extent, abounding in navigable waters, and rich in the advantages of soil and climate, the period cannot be distant, when the haunts of the savage will become the dwelling place of civilized man, and the forests of the wilderness be converted into fruitful fields.

I am persuaded, Gentlemen, that in the discharge of your duties, you will find the strongest incentives to cultivate harmony among yourselves, and to afford to the country thus distinguished by the bounty of Providence, all the benefits of which it is susceptible. You will not be unmindful that the diffusion of knowledge and correct habits among the people, and wholesome laws impartially and rigidly executed, are essential to our happiness and prosperity. To promote those objects it is important.—1st. That schools and the means of education should be provided and encouraged, to the extent of your powers; and 2d That regarding a proper economy with due reference to the obvious depreciation in the exchangeable value of money, sufficient compensation should be allowed to those who may devote their time and talents to the public, to ensure the services of competent men. Parsimony in that respect, is not economy: nor is it calculated to place your offices equally within the reach

of the rich & the poor. Worth and capacity are not exclusively confined to those who can submit to pecuniary sacrifices for public honors. They are to be found in every class of society, and it is the course of wisdom that such provision should be made, as will render the public service acceptable to the meritorious in every situation of life.

Permit me to recommend to the attention of the Legislature the subject of roads, ferries and bridges. The strength of a country consists in its population; and it is specially the interest of this Territory to invite emigration hither, by furnishing every possible facility of communication, I am aware however that under existing circumstances, the object cannot be wholly attained without the interposition of the United States.

Your attention will doubtless be directed at an early period of your session to the Act of Congress establish the Alabama Territory. It is with you to make the necessary provisions respecting the seat and accommodation of the Government.

To you also belongs the power of electing a Delegate to Congress, and of nominating six persons to the President of the United States, three of whom are to be selected by him for members of the Legislative Council. I have moreover, to apprise you that Robert Beatty, Esq. has resigned his seat in that body.

It will not escape your observation, that some provisions in regard to representation in the House of Representatives, together with a suitable modification of the laws, and re-organization of the offices within your control, are rendered indispensable. And I apprehend you may also deem it advisable, to change the boundaries of some of the existing counties, by creating new counties or otherwise. Under that impression, I have abstained from filling appointments within the scope of my authority, for the purpose of awaiting the result of your deliberations. Unacquainted, indeed, with the present civil and military arrangements, and without the means of ascertaining who are in office, except by application to

the former executive, delay in that respect has been unavoidable.

On the 21st of December last I received a communication from Maj. General Gaines, requesting that two companies of militia might be attached for the defence of a part of our southern frontier. A detachment has been ordered accordingly to Fort Crawford, for two months service, and now constitute a part of the General's command.

It has been represented to me that the Convention of Mississippi have forwarded a petition to Congress, soliciting an enlargement of that State, by limiting the boundary of this Territory to the Tombecbe river. I consider the decision of that question highly important to the people whose interests are committed to our care. The present line of partition has been deliberately fixed by the competent authorities, and voluntarily accepted by the inhabitants of the State. They have exercised the exclusive privilege of framing a Government for themselves; a privilege, which, I trust, will not be denied to our fellow-citi-

zens. Nor do I perceive any just grounds for the proposed change, or any advantages that can result from it. The improvement of the navigation of our Rivers is a subject of the highest interest ; and when equally the business of separate states, it is always difficult, if not impracticable, to obtain the necessary concert for effecting the object.

I would further submit to your consideration the propriety of adopting measures during your present session, for ascertaining previously to the next meeting of the General Assembly, the number of inhabitants within our limits.

My acquaintance with the affairs of the Territory, necessarily imperfect as it is, does not enable me to detail particular defects in the law, or to specify the appropriate remedies. Such as occur to me will constitute the subject of a future message. I have however, the satisfaction to know, that the Legislative concerns are in the hands of those whose intelligence and patriotism furnish a sure guarantee for a judicious and faithful performance of

their duties. And I beg you to be assured that every aid which it may be in my power to contribute, will be cheerfully rendered.

WM. W. BIRB.

St. Stephens, 20th. Jan. 1818.

The Message having been read, the Council withdrew to their chamber.

The Council then adjourned until to-morrow 10 o'clock.

Wednesday, January 21.

The Council met pursuant to adjournment,

And adjourned until to-morrow 10 o'clock.

Thursday, January 22.

The Council met pursuant to adjournment,

And adjourned until to-morrow 10 o'clock.

Friday, January 23.

The Council met pursuant to adjournment:

A message from the House of Representatives, by Mr. Coleman, their Clerk.

“ Mr. President,

I am instructed to inform the Legislative Council, that Mr. Nichol.

son, having resigned the appointment of Clerk of the House of Representatives, and that Daniel Coleman is elected to fill that vacancy, and he then withdrew.

The Council then adjourned until to-morrow 10 o'clock.

Saturday, January 24.

The Council met pursuant to adjournment.

A message from the House of Representatives by Mr. Coleman, their Clerk.

“ Mr. President,

I am instructed to inform the Legislative Council, that the House of Representatives have given leave to introduce the following bills, viz:

A bill to be entitled an act, concerning public printing.

A bill to be entitled an act, to amend the act entitled an act, to establish a Bank at Huntsville; and

A bill to be entitled an act, to divorce Elizabeth Bennett from Jas. Bennett, her husband,

and he then withdrew.

The Council then adjourned until 10 o'clock on Monday next.

Monday, January 26.

The Council met pursuant to adjournment.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

“ Mr. President,

I am authorised to inform the Legislative Council, that they have passed the bill entitled an act, to divorce Elizabeth Bennett, from her husband James Bennett, and desire their concurrence ; I am also instructed to inform the Legislative Council that they have given leave to introduce the following bills, viz.

A bill to alter and fix the Western boundary of Madison county, and to divide the county of Elk.

A bill to amend the act, entitled an act against Usury.

A bill to incorporate the Trustees of the St. Stephens Academy.

A bill for the better regulation of Judicial Proceedings.

A bill to abolish the right of Survivorship in all cases.

A bill to amend the laws now in force respecting public Roads, and for other purposes, and

A bill to provide for the better government of the town of Blakely.
and he then withdrew.

The Council then adjourned until tomorrow ten o'clock.

Tuesday, January 27th.

The Council met pursuant to adjournment.

A Message from the house of Representatives by Mr. Coleman, their Clerk.

“ Mr. President,

I am instructed to inform the Legislative Council that the House of Representatives have passed the bill entitled an act concerning public printing, and desire their concurrence.

and he then withdrew.

The Council then adjourned until to-morrow 10 o'clock.

Wednesday, January 28th.

The Council met pursuant to adjournment,

A message from the House of Representatives, by Mr. Coleman, their Clerk.

“ Mr. President:

I am instructed to inform the Legislative Council that the House of

Representatives have adopted the following resolution ; viz :

Resolved, that with the concurrence of the Legislative Council, both Houses will meet in the Representative chamber, on to-morrow at 11 o'clock, and proceed to the election of a delegate to Congress. January 27th, 1818.

and he then withdrew.

Whereupon said resolution was taken into consideration and was concurred in.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then repaired to the Representative chamber, where they proceeded to the election, and on counting the votes, John Crowell Esq. was duly elected.

The Council then withdrew to their chamber.

A Message from the House of Representatives by Mr. Coleman their Clerk.

“ Mr. President,

I am directed to inform the Legislative Council that the House of Representatives have passed the bill

to abolish the right of survivorship in all cases, and desire their concurrence, and then he withdrew.

The Council then adjourned until to-morrow 10 o'clock.

Thursday, January 29th,

The Council met pursuant to adjournment.

The Council took into consideration the following bills, viz.

A bill to abolish the right of survivorship in all cases.

A bill to amend the laws concerning public printing, and

A bill to divorce Elizabeth Bennett from James Bennett, her husband, and

Resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am directed to inform the Legislative Council that the House of Representatives have passed the memorial addressed to the Congress of the United States on the subject of

the memorial of the Mississippi Convention, and

The bill respecting public roads, and desire their concurrence, and he then withdrew.

The Council then adjourned until to-morrow 10 o'clock.

Friday, January 30th.

The Council met pursuant to adjournment.

The Council took into consideration the memorial to the Congress of the United States, on the subject of the memorial of the Mississippi convention, and

Resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then took into consideration the bill to amend the laws now in force, respecting public roads, and Resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then adjourned until to-morrow 10 o'clock.

Saturday, January 31st.

The Council met pursuant to adjournment.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am instructed to inform the Legislative Council, that the House of Representatives have passed the following bills, viz

A bill to alter and amend an act to establish a Bank at Huntsville.

A bill to be entitled an act to establish the counties of Blount, Tuskalooza, and Marengo.

A bill to be entitled an act to establish the western and southern boundaries of Madison County, and to establish the counties of Limestone and Lauderdale.

A bill for the better regulation of judicial proceedings, and

A bill to be entitled an act to establish the counties of Cotaco, Lawrence and Franklin and desire their concurrence, and he then withdrew.

A message from the House of Representatives by Mr. Coleman, their Clerk.

Mr. President,

I am instructed to inform the Legislative Council, that the House of Representatives have adopted a resolution, prescribing the credentials of the Delegate to Congress, and desire their concurrence, and he then withdrew.

Resolved that the Council concur in the resolution adopted by the House of Representatives, prescribing credentials for the Delegate to Congress.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then adjourned until 10 o'clock on Monday next.

Monday, February 2d.

The Council met pursuant to adjournment.

The Council took into consideration, the bill to be entitled an act, to establish the western and southern boundaries of Madison county, and to establish the counties of Limestone and Lauderdale, and

Resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives hereof.

The Council took into consideration, the bill to be entitled an act to establish the counties of Blount, Tuskalooza, and Marengo, and

Resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to establish the counties of Cato Lawrence, and Franklin, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then adjourned until to-morrow 10 o'clock.

TUESDAY, FEB. 3d.

The Council met pursuant to adjournment.

The Council took into consideration the bill to be entitled an act for the better regulation of judicial proceedings, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then took into consideration, the bill to be entitled an act to alter and amend an act, entitled an act to establish a Bank at Huntsville, and

Resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of

Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am instructed to inform the Legislative Council that the House of Representatives have passed the following resolution, viz

Resolved that with the concurrence of the Legislative Council, this House do meet them in the Representative chamber, at half past 12 o'clock inst for the purpose of electing a public printer.

And also, that the House of Representatives have passed the bill for the government of the town of Blakely, and desire their concurrence, and he then withdrew.

Resolved that the Council concur in the above resolution.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then repaired to the Representative chamber, where they proceeded to the election of public Printer, and on counting the votes, Thomas Eastin had thirteen, and was pronounced duly elected.

The Council then withdrew

their chamber.

The Council then adjourned until 10 o'clock to-morrow.

Wednesday, February 4th.

The Council met pursuant to adjournment.

The Council took into consideration the bill to be entitled an act for the government of the town of Blakely, and

Resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives by mr. Gaines,

Mr. President,

I am instructed by the House of Representatives to inform the Legislative Council, that in consequence of the indisposition of Daniel Coleman their Clerk, they have elected Francis H. Gaines their Clerk *pro tem*, and he then withdrew.

A message from the House of Representatives, by mr. Gaines, their Clerk *pro tem*.

Mr. President,

I am instructed by the House of Representatives, to inform the Le-

gislative Council, that they have passed the bill to alter and extend the boundaries of Washington, Baldwin and Mobile counties, and a bill to incorporate the President and Trustees of the St. Stephens Academy, and desire the concurrence of the Legislative Council.

Also, a bill to divide the county of Montgomery, to which they also desire the concurrence of the Legislative Council, and he then withdrew

The Council took into consideration the bill to be entitled an act to alter and extend the boundaries of Washington, Baldwin and Mobile counties, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then adjourned until 10 o'clock to-morrow.

Thursday, February 5th.

The Council met pursuant to adjournment.

The Council took into consideration the bill to be entitled an act to incorporate the President and Trus

tees of the St. Stephens Academy, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then took into consideration the bill to be entitled an act to establish the counties of Shelby and Cahawba, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Gaines, their Clerk *pro tem*.

Mr. President,

I am directed to inform the Legislative Council, that the Governor did, on the fourth inst. sign and approve the following acts, viz

An act to amend the laws now in force respecting public roads.

An act to abolish survivorship in all cases.

An act to divorce Elizabeth Bennett from James Bennett, her husband, and

An act to amend the laws now in force concerning public printing.

And he then withdrew.

The Council then adjourned until 3 o'clock inst.

Three o'clock

The Council met pursuant to adjournment.

The Council then adjourned until 10 o'clock to-morrow.

Friday, February 6th.

The Council met pursuant to adjournment.

A message from the House of Representatives by Mr. Gaines, their Clerk *pro tem*.

Mr. President,

I am directed to inform the Legislative Council that the House of Representatives have passed the following bills, viz.

A bill to be entitled an act to incorporate the St. Stephens Steam Boat Company.

A bill to be entitled an act to establish the county of Dallas.

A bill to be entitled an act concerning writs of error.

A bill to be entitled an act to alter and amend an act entitled an act concerning escheats.

A bill to be entitled an act concerning certain Islands in the Tennessee River.

A bill to be entitled an act to extend the right of representation to certain counties therein named, and

A bill to be entitled an act au-

thorising the taking the census of the Alabama Territory, and desire their concurrence, and he then withdrew.

A message from the House of Representatives by Mr. Gaines, their Clerk pro. tem.

Mr. President,

I am directed to inform the Legislative Council that the Governor has this day approved and signed the following acts, viz :

An act to establish the western and southern boundaries of Madison county, and to establish the counties of Limestone and Lauderdale.

An act to establish the counties of Cotaco, Lawrence and Franklin, and

An act to establish the counties of Blount, Tuscaloosa and Marengo, and then he withdrew.

The Council took into consideration the bill to be entitled an act, authorising the taking the census of the Alabama Territory, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into considera-

tion the bill to be entitled an act to establish the county of Dallas, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act, concerning certain Islands in the River Tennessee, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then took into consideration the bill to be entitled an act extending the right of representation to certain counties therein named, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then adjourned until 10 o'clock to-morrow.

Saturday, February 7th.

The Council met pursuant to adjournment.

A message from the House of Representatives, by Mr. Coleman,

their Clerk.

Mr. President,

I am instructed to inform the Legislative Council, that the House of Representatives have passed the following bills, viz.

An act to authorise Honore Collin to emancipate his female slave Rozette.

An act for the relief of James Cal-
ler.

An act appointing commissioners to select a temporary place for holding courts in Montgomery county.

An act to provide for the appointment of Attorneys General, and to establish their districts, and

A joint resolution, designating Council districts and desire their concurrence, and he then withdrew.

The Council took into consideration the bill to be entitled an act to alter and amend an act entitled an act concerning escheats, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill entitled an act concern-

ing writs of error, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to incorporate the St. Stephens Steam Boat company, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

Resolved that the Council concur in the joint resolution, dividing this Territory into districts for the nomination of members of Council.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then adjourned until 10 o'clock on Monday next.

Monday, February 9th.

The Council met pursuant to adjournment.

The Council took into consideration the bill to be entitled an act to authorise Honore Colin to manumit his female slave Rozette, and resolved that the same do pass.

Ordered that the Secretary do inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act for the relief of James Caller, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to establish districts for the several attorneys General of this Territory, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill entitled an act, appointing commissioners to select a temporary place for holding the courts in Montgomery county, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am directed to inform the Legislative Council, that the House of Representatives have passed the following bills, memorial and resolution, viz.

A bill to be entitled an act to appoint commissioners to ascertain and report the nearest suitable and practicable route for a road from the Falls of the Tuskaloocha to the Tennessee River.

A bill to be entitled an act concerning the style of writs.

A bill to be entitled an act to alter and extend the boundaries of Marengo county.

A joint resolution authorizing the Governor to take such measures as he may deem proper, to draw upon the Mississippi State for the amount of money which may be due to the Alabama Territory, under the act of Congress establishing a separate Territorial Government for the Eastern part of the Mississippi Territory.

The Memorial addressed to the Congress of the United States, on the subject of internal improvement, and desire their concurrence.

I am also directed to inform the Legislative Council, that his Excellency has approved and signed the following acts, viz.

An act to establish the county of Dallas.

An act authorising the taking of the census of the Alabama Territory.

An act concerning certain Islands in the River Tennessee.

And I am further directed to inform the Legislative Council that his excellency has this day disapproved of an act to alter and amend an act entitled an act to establish a Bank at Huntsville, and returned the same to this House with his objections, and he then withdrew.

The Council then adjourned until 10 o'clock to-morrow.

Tuesday February 10th.

The Council met pursuant to adjournment.

The Council took into consideration the joint resolution, authorising the Governor to draw upon the State of Mississippi for any monies due the Alabama Territory, and resolved to concur in the same.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act concerning the style of writs, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to alter and extend the boundaries of Marengo county, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to appoint commissioners to ascertain and report the most suitable and practicable route for a road from the falls of the Tuskaloosa to the Tennessee river, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of

Representatives, by Mr. Coleman, their Clerk.

Mr President,

I am instructed to inform the Legislative Council that the House of Representatives have passed the following resolution .

Resolved that with the concurrence of Legislative Council both Houses will meet in the Representative chamber, at the hour of 11 o'clock inst. and proceed to nominate six persons to the President of the United States, one of whom to be appointed in the third, one in the fourth, and one in the fifth Council District, as members of the Legislative Council, and he then withdrew.

Resolved that the Council concur in the above resolution.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then repaired to the Representative chamber and took the seats allotted them. Where upon counting the votes, George Phillips, Joseph Howard, Matthew Wilson, Joseph P. Kennedy, John Gayle, and Reuben Saffold, stood

highest in nomination and was pronounced duly elected, and ordered that their names be sent to the President of the United States.

The Council then withdrew to their chamber.

The Council took into consideration the memorial to the Congress of the United States on the subject of internal improvement, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am instructed to inform the Legislative Council, that his Excellency has this day approved and signed the following acts viz

An act concerning writs of error.

An act to alter and amend an act concerning escheats, and

An act to incorporate the St. Stephens Steam Boat Company, and he then withdrew.

A message from the House of Representatives by Mr. Coleman, their Clerk.

Mr. President, I am directed to inform the Legislative Council that the House of Representatives have passed the following bills, viz

A bill to be entitled an act to alter the mode of assessing and collecting taxes in the counties of Washington, and Montgomery.

A bill to be entitled an act to alter and amend the laws for the punishment of crimes and misdemeanors.

A bill to be entitled an act to authorise the administrators of William Gillam dec. to sell real estate.

A bill to be entitled an act to establish the counties of Marion and Conecuh

A bill to entitled an act to authorise the administrators of James Allsup deceased to sell real estate.

A bill to be entitled an act to authorise the trustees of the St. Stephens Academy, to raise a fund by lottery for the use of said Academy.

A bill to be entitled an act to alter and amend the act entitled an act to establish a Bank at Huntsville.

A bill to be entitled an act to establish the Alabama Bank in the

town of St. Stephens, and

A bill to be entitled an act to authorise the change of venue in real actions, and he then withdrew.

The Council then adjourned until 10 o'clock to-morrow.

Wednesday, February 11th,

The Council met pursuant to adjournment.

The Council took into consideration the bill to be entitled an act to establish the counties of Marion and Conecuh, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to authorise the trustees of the St. Stephens Academy to raise a fund by lottery, for the use of said Academy, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to alter and amend an act to establish a Bank at Huntsville, and resolved

that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to authorise the administrators of James Allsup dec. to sell real estate, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof,

The Council took into consideration the bill to be entitled an act to alter and amend the laws for the punishment of crimes and misdemeanors, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then took into consideration the bill to be entitled an act to alter the mode of assessing and collecting taxes in the counties of Washington and Montgomery, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to authorise the administrators of William Gillam dec. to sell real estate, and resolved that the same do pass with an amendment.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am directed to inform the Legislative Council that the House of Representatives have passed the following bills, viz.

A bill to amend the laws for raising a revenue.

A bill to fix the compensation of the members of the General Assembly.

A bill to be entitled an act, authorising the building of bridges on Santebogue and Pine Barren creeks, in Washington County.

A bill for the relief of tax collectors, and

A bill further to enable the court of Madison to complete the

public buildings of said county, and desire their concurrence, and he then withdrew.

The Council took into consideration the bill to be entitled an act to authorise the change of venue in real actions, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to establish the Alabama Bank in the town of St. Stephens, and resolved that the same do pass with an amendment.

A message from the House of Representatives, by Mr. Coleman, their Clerk,

Mr. President, I am directed to inform the Legislative Council that the House of Representatives have concurred in their amendment to the bill to be entitled an act to establish the Alabama Bank in the town of St. Stephens, and

A bill to be entitled an act to authorise the administrators of William Gillam deceased, to sell real es-

late, and he then withdrew.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am directed to inform the Legislative Council that the House of Representatives have passed a bill to divorce Lucretia Dearmond from James Dearmond her husband, and desire their concurrence, and he then withdrew.

The Council then adjourned until 10 o'clock to-morrow.

Thursday February 12th.

The Council met pursuant to adjournment.

The Council took into consideration the bill to be entitled an act to amend the laws for raising a revenue, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act for the relief of tax collectors, and resolved that the same do pass.

Ordered that the Secretary inform

the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act further to enable the county court of Madison to complete the public buildings of said county, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act, authorising the building of bridges on Santebogue and Pine Barren creeks, in Washington county, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to fix the compensation of the members of the General Assembly, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to

divorce Lucretia Dearmond from James Dearmond, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives by Mr. Coleman, their Clerk.

Mr. President,

I am instructed to inform the Legislative Council that the House of Representatives have passed the following bills, viz.

A bill to amend an act, entitled an act against usury.

A bill to authorise John S. Diven to emancipate his negro slave Robin, alias Robert Long.

A bill concerning the distribution of the laws and journals.

A bill to amend the militia laws and for other purposes.

A bill to incorporate the town of Rodney and for other purposes.

A memorial to the Congress of the United States for the relief of Tandy Walker, and desire their concurrence.

The House of Representatives

have also passed a resolution appointing commissioners to mark out a road from the town of Blakely to Fort Claiborne, and desire the concurrence of the Council, and he then withdrew.

The Council then adjourned until 4 o'clock instant.

Four o'clock.

The Council met pursuant to adjournment.

The Council took into consideration the bill to be entitled an act to amend an act entitled an act against usury, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to authorise John S. Divin to emancipate his negro slave Robin, alias Robert Long, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act con-

cerning the distribution of the laws and journals, and resolved that the same do pass.

Ordered that Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to incorporate the town of Rodney, and for other purposes, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr President,

I am directed to inform the Legislative Council that the House of Representatives have passed the following bills viz.

A bill to authorise Daniel Reed to emancipate his mulatto slave Rose.

A bill concerning oaths of office.

A bill appointing commissioners to examine and report to the Governor the most eligible scite for the seat of the Territorial Government, and desire their concurrence.

I am further instructed to inform the Council, that the Governor did, on this day, approve and sign the following acts viz.

An act appointing commissioners to select a temporary place for hold-the courts in Montgomery county.

An act concerning the style of writs.

An act to authorise Honore Collin to manumit his female slave Rozette, and

An act to alter and extend the boundaries of Marengo county, and he then withdrew.

The Council took into consideration the bill to be entitled an act to amend the militia laws and for other purposes, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the memorial to the Congress of the United States for the relief of Tandy Walker, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives

thereof.

The Council took into consideration the following resolution, viz.

Resolved by the Legislative Council and House of Representatives of the Alabama Territory in General Assembly convened, that Cyrus Sibley, Charles Hall, Aaron Barlow, Samuel Dale, James Earl, Pascal Harrison and Peter Randon, be, and are hereby appointed commissioners to lay out and mark a road from the town of Blakely to Fort Claiborne, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then adjourned until 10 o'clock to-morrow.

Friday February 13th.

The Council met pursuant to adjournment.

The Council took into consideration the bill to be entitled an act appointing commissioners to examine and report to the Governor, the most eligible scite for the seat of the Territorial Government, and resolved that the same do pass.

Ordered that the Secretary inform

the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act to authorise Daniel Reed to emancipate his mulatto slave Rose and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the bill to be entitled an act, concerning oaths of office, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am directed to inform the Legislative Council that the Governor did, on this day approve and sign the following acts, viz

An act to authorise the change of venue in real actions.

An act to alter the mode of assessing and collecting taxes in the counties of Washington and Montgomery.

An act to amend the laws for the punishment of crimes and misdemeanors.

A joint resolution authorising the Governor to draw upon the state of Mississippi for any monies due the Alabama Territory.

An act to authorise the Trustees of the St. Stephens Academy to raise a fund by lottery, for the use of said Academy.

A act to authorise the administrators of James Allsup dec. to sell real estate.

An act extending the right of representation to certain counties therein named.

An act to authorise the administrators of William Gillam dec. to sell real estate.

An act to establish the counties of Marion and Conecuh.

An act for the relief James Caller.

An act to divorce Lucretia Dearmond from James Dearmond.

An act to appoint commissioners to ascertain and report the most suitable and practicable route for a road from the Falls of the Tuscaloosa to the Tennessee River.

An act to establish the Tombeckbe Bank in the town of St. Stephens.

An act to provide for Attorneys General and to establish their districts, and

An act to alter and amend an act entitled an act to establish a Bank at Huntsville, and he then withdrew.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am instructed to inform the Legislative Council that the House of Representatives have passed a bill making appropriations to certain persons therein named, and a joint resolution requiring the President of the Council and Speaker of the House of Representatives jointly to sign and transmit to the President of the United States a certificate containing the names of the persons nominated in the different Council Districts, with the number of votes and the district for which they were nominated, together with a transcript of the joint resolution of both Houses, dividing the Territory into

Council districts, and

A resolution making it the duty of the Clerk of the House of Representatives to take and safely keep the books, papers, &c. of both Houses, until the meeting of the next Legislature, and desire their concurrence, and he then withdrew.

The Council took into consideration the bill to be entitled an act making appropriations to certain persons therein named, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the joint resolution, respecting the books and papers of the General Assembly, and resolved that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council took into consideration the joint resolution requiring the President of the Legislative Council, (and the Speaker of the House) of Representatives to jointly certify to the President of the Uni-

ted States, the persons nominated for members of Council, in the different Council Districts, and resolve that the same do pass.

Ordered that the Secretary inform the House of Representatives thereof.

The Council then adjourned until 3 o'clock, instant.

3 O'clock.

The Council met pursuant to adjournment.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am instructed to inform the Legislative Council, that the House of Representatives, have passed a resolution making an appropriation in favor of the Sergeant at Arms, and desire their concurrence.

I am also instructed to inform the Legislative Council that the Governor did, on this day approve and sign the following acts and resolution viz.

An act concerning the distribution of the laws and journals.

An act to amend an act, concern-

ing Ufury.

An act authorising the building of bridges on Santebogue and Pine Barren creeks in Washington county.

A resolution appointing commissioners to mark out a road from the town of Blakely to Fort Claiborne.

An act to amend the militia laws and for other purposes.

An act to authorise John S. Divin to emancipate his negro slave Robin, alias Robert Long.

An act to incorporate the town of Rodney, and for other purposes.

An act, further to enable the county court of Madison to complete the public buildings of said county.

An act to amend the laws for raising a revenue.

An act to fix the compensation of the members of the General Assembly, and

An act for the relief of tax collectors, and he then withdrew.

The Council took into consideration the resolution making an appropriation for the Sergeant at arms, and resolved that the same do pass.

Ordered that the Secretary inform

the House of Representatives thereof.

The Council then adjourned until 9 o'clock to-morrow.

Saturday, February 14th.

The Council met pursuant to adjournment.

A message from the House of Representatives, by Mr. Coleman, their Clerk,

Mr. President,

I am directed to inform the Legislative Council that the House of Representatives have passed a resolution increasing the compensation of the door keepers, to which they desire their concurrence, and he then withdrew.

Resolved that the Council concur in the above resolution.

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Coleman, their Clerk.

Mr. President,

I am directed to inform the Legislative Council that the Governor did, on this day, approve and sign

the following acts, viz.

An act appointing commissioners to examine and report to the Governor, the most eligible scite for the seat of the Territorial Government.

A act to authorise Daniel Reed, to emancipate his mulatto slave Rose.

An act making appropriations to certain persons therein mentioned.

An act concerning oaths of office.

A resolution making allowance for the Sergeant at Arms ; and

A joint resolution making allowance for the Door Keepers ; and he then withdrew.

A mesage from the House of Representatives, by Mr. Coleman, their clerk.

Mr. President,

I am instructed to inform the Legislative Council, that the House of Representatives having completed the business before them, are now ready to adjourn ; and he then withdrew.

The President adjourned the Legislative Council *sine die*.

ATTEST,

CURTIS HOOKS, Sec'y.

APPENDIX.

A joint resolution respecting the
Books and papers of the General
Assembly

Resolved, by the Legislative Council and House of Representatives of the Alabama Territory, in General Assembly convened, That it shall be the duty of the Clerk of the House of Representatives to take into his custody, for safe keeping, the books and papers of the two Houses ; and have the same forth coming on the first day of the next General Assembly : and any resolution coming within the purview and meaning of this Resolution is hereby repealed.

GABRIEL MOORE,
Speaker of the House of Representatives.

JAMES TITUS,
President of the Legislative Council.

Resolution concerning additional
Members of the Legislative Council.

Resolved, by the Legislative Council and House of Representatives of

the Alabama Territory, in General Assembly convened, That the President of the Legislative Council, and the Speaker of the House of Representatives, do, jointly, sign and transmit to the President of the United States, a certificate containing the names of the persons nominated, in the different Council Districts, with the number of votes; and the district for which they were nominated; together with a transcript of the joint resolution of both houses, dividing the Territory into Council Districts.

GABRIEL MOORE,
Speaker of the House of Representatives.

JAMES TIUS,
President of the Legislative Council.

A Resolution, dividing the Territory into Council Districts.

Resolved, by the Legislative Council and House of Representatives of the Alabama Territory, in General Assembly convened, That the counties of Madison, LIMESTONE, LAUDERDALE, Franklin, Lawrence and Cotaco shall compose the first Council District, from which nomination shall be

made to fill the vacancy occasioned by the resignation of Robert Beaty, Esq. resigned ; the counties of Marion, Blount, and Tuscaloosa, shall form the second Council District, from which-nominations shall be made to fill the vacancy occasioned by the death of Col. Joseph Carson ; the counties of Shelby, Cahawba, Montgomery and Marengo, shall compose the third Council District, and be entitled to one member ; the counties of Dallas, Monroe, Conecuh and Clark, shall compose the fourth Council District, and be entitled to one member ; and the counties of Washington, Baldwin and Mobile, shall compose the fifth Council Districts ; and be entitled to one member.

GABRIEL MOORE,
Speaker of the House of Representatives.

JAMES TITUS,
President of the Legislative Council.

Resolution, respecting the certificate of the election of the Delegate to Congress.

Resolved, by the Legislative Coun-

cil and House of Representatives of the Alabama Territory, in General Assembly convened, That the Speaker of the House of Representatives and the President of the Legislative Council, shall, jointly, certify to the Speaker of the house of Representatives of the United States, that John Crowell was, on the twenty-ninth instant, duly, elected Delegate to Congress from said Territory, by joint ballot of both Houses, in pursuance of the act of Congress, entitled "an act to establish a separate Territorial Government for the eastern part of the Mississippi Territory."

GABRIEL MOORE,
Speaker of the House of Representatives.

JAMES H. H. US,
President of the Legislative Council.